

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/EP2005/002799

Box No. V Reasoned statement under Rule 43bis.1(a)(I) with regard to novelty, inventive step or industrial applicability;  
citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims <u>1-11</u>	YES
	Claims _____	NO
Inventive step (IS)	Claims <u>1-11</u>	YES
	Claims _____	NO
Industrial applicability (IA)	Claims <u>1-11</u>	YES
	Claims _____	NO

2. Citations and explanations:

Reference is made to the following document:

D1: EP0936228

The present invention relates to a composition comprising

- water-soluble or water-swellaable associatively thickening copolymers containing sulfo groups
- and a nonionic polysaccharide derivative

the process for preparing it and the use of this composition in aqueous building material systems based on hydraulic binders such as cement, lime, gypsum plaster, anhydrite, etc. and also in water-based paint and coating systems.

The water-soluble or water-swellaable associatively thickening copolymers containing sulfo groups are utilized in D1 as replacement for the water-soluble nonionic derivatives of polysaccharides, in particular cellulose and starch derivatives, which are routinely used in aqueous building material mixtures, in order to retard or prevent the undesirable evaporation of the water required for hydration and processing or retard or prevent its flow into the substrate.

Water-soluble nonionic derivatives of polysaccharides are used in their preparation (example 2 in D1) but as protective colloids and not in the composition as indicated in claim 1 of the application.

The subject matter of claim 1 is therefore novel (PCT Article 33(2))

# PATENT COOPERATION TREATY

From the  
INTERNATIONAL SEARCHING AUTHORITY

**TRANSLATION**  
**PCT**

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Date of mailing (day/month/year) **See form PCT/ISA/210**

Applicant's or agent's file reference

**34784P WO**

**FOR FURTHER ACTION**

See paragraph 2 below

International application No.

**PCT/EP2005/002799**

International filing date (day/month/year)

**16.03.2005**

Priority date (day/month/year)

**17.03.2004**

International Patent Classification (IPC) or both national classification and IPC

**C08F220/58, C08F220/54, C08F220/60, C08F220/34**

Applicant

**CONSTRUCTION RESEARCH & TECHNOLOGY GMBH**

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/EP	Authorized officer
Facsimile No.	Telephone No.

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Box No. I

Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.  
☐ This opinion has been established on the basis of a translation from the original language into the following language \_\_\_\_\_, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
  - a. type of material  
☐ a sequence listing  
☐ table(s) related to the sequence listing
  - b. format of material  
☐ in written format  
☐ in computer readable form
  - c. time of filing/furnishing  
☐ contained in the international application as filed.  
☐ filed together with the international application in computer readable form.  
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments: